

In this 42 U.S.C. § 1983 action, Tiffany Johnson [“Johnson”], a former city inmate, complains that the defendants violated her constitutional rights during her incarceration in the Opelika City Jail. The plaintiff seeks only injunctive relief. On August 19, 2005, Johnson advised the court that she has been released from confinement.

DISCUSSION

The plaintiff complains that while incarcerated in the Opelika City Jail she was denied work status, activities and outdoor exercise while jail officials allowed male inmates these privileges. *Plaintiff's Complaint* at 3. Johnson requests that this court “solve the problem” at the Opelika City Jail. *Id.* However, the plaintiff is no longer incarcerated in this municipal facility. In light of the foregoing, the court concludes that the plaintiff’s claim is moot and that this case is due to be dismissed. *See County of Los Angeles v. Davis*, 440 U.S. 625 (1979); *Cotterall v. Paul*, 755 F.2d 777 (11th Cir. 1985).

CONCLUSION

Accordingly, it is the RECOMMENDATION of the Magistrate Judge that this case be dismissed as moot. It is further

ORDERED that the parties may file any objections to the said Recommendation on or before **September 5, 2005**. Any objections filed must specifically identify the findings in the Magistrate Judge's Recommendation to which the party is objecting. Frivolous, conclusive or general objections will not be considered by the District Court. The parties are advised that this Recommendation is not a final order of the court and, therefore, it is not appealable.

Failure to file written objections to the proposed findings and advisements in the Magistrate Judge's Recommendation shall bar the party from a de novo determination by the District Court of issues covered in the Recommendation and shall bar the party from attacking on appeal factual findings in the Recommendation accepted or adopted by the District Court except upon grounds of plain error or manifest injustice. *Nettles v. Wainwright*, 677 F.2d 404 (5th Cir. 1982). *See Stein v. Reynolds Securities, Inc.*, 667 F.2d 33 (11th Cir. 1982). *See also Bonner v. City of Prichard*, 661 F.2d 1206 (11th Cir. 1981, *en banc*), adopting as binding precedent all of the decisions of the former Fifth Circuit handed down prior to the close of business on September 30, 1981.

Done this 22nd day of August, 2005.

/s/Charles S. Coody
CHARLES S. COODY
CHIEF UNITED STATES MAGISTRATE JUDGE